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ERROL FLYNN CALLED A WARTIME NAZI SPY

Author Finds Assertion Proved by
Documents and Interviews —
Link to a German Cited

By ROBERT LINDSEY

Special to The New York Times

LOS ANGELES, March 22 — Was Errol Flynn, the dashing star of Hollywood swashbucklers, a German spy before and during World War II?

Charles Higham, a Los Angeles writer, contends that Mr. Flynn was a Nazi agent in a biography of the late actor called "Errol Flynn The Untold Story," published by Doubleday & Co. Some friends of the late actor, such as David Niven, have ridiculed the assertion, calling it impossible.

Documents that Mr. Higham said he used in reaching his conclusion indicate that several of the Australian-born actor's actions before and during the war helped the German cause and that he kept a close friendship with a man who Mr. Flynn had repeatedly been informed was a German spy.

But the documents do not contain conclusive evidence that Mr. Flynn himself was a German agent and they leave open the question whether his behavior was an act of friendship or an act of espionage.

Interviews and Documents

In an interview, Mr. Higham said that he had arrived at his conclusion through a process of "detection" after talking to many persons who knew the actor, and other people, and by examining thousand of formerly classified Government documents regarding Mr. Flynn and his friend, Dr. Hermann F. Erben, an Austrian-born physician who now lives in Vienna and is 82 years old.

"I don't have a document that says A, B, C, D, E, Errol Flynn was a Nazi agent," said Mr. Higham, who has also written biographies of Katherine Hepburn and other film stars. "But I have pieced together a mosaic that proves that he is."

The documents, many from the Federal Bureau of Investigation and the State Department, indicate that Mr. Flynn, who died in 1959, met Dr. Erben in 1933 and that their friendship continued in California until after World War II.

Among the documents are Government papers in which Dr. Erben is reported to have conceded that he began spying for the German Government in the mid-1930's and continued to do so throughout the war. In the early 1940's Mr. Flynn made several films that presented the English as daring heroes and the Nazis as bumbling villains.

On at least three occasions, however, the documents indicate, Mr. Flynn helped Dr. Erben in such a way that it could be interpreted as helping the Nazi cause.

Spying on Spanish Loyalists

In 1937 he arranged for the physician to gain entry to Spain in its civil war, after the two men had unsuccessfully sought to fight with the fascist forces of Francisco Franco. According to one State Department document, Dr. Erben conceded going to Spain under cover as a photographer for the purpose of "spying upon" Loyalist forces "and partly upon the Germans serving in the Loyalist Army."

The documents indicate that Mr. Flynn helped Dr. Erben flee to Mexico when he faced arrest in this country on an immigration matter and on another occasion helped him obtain a fraudulent passport. Mr. Higham called these incidents "treasonous" because Mr. Flynn, a British subject, took the actions when England was at war with Germany.

However, there is nothing in the Government records that links Mr. Flynn personally to an act of espionage even though, the records show, he was under intensive surveillance at the time by the Federal Bureau of Investigation.

After the war ended, the American authorities disclosed that Dr. Erben was a member of a large Nazi spy ring that operated in Asia. While continuing to correspond with Mr. Flynn, he became a Government witness at trials that resulted in the conviction of 26 German spies. He was then repatriated to Germany, where he spent almost two years in prison before being released.

Officer's 'Natural Conclusion'

William E. Williamson, a retired military officer who commanded a unit that guarded Dr. Erben during his repatriation, said that he had spoken at length with Dr. Erben about his wartime activities but that the physician had discussed Mr. Flynn only as a friend and never referred to the possibility that he might have been a spy.

Mr. Williamson said, however, that, based on Mr. Flynn's pattern of helping Dr. Erben, he felt "it's a natural conclusion" that "Errol Flynn was a spy."

Dr. Erben denied last week that Mr. Flynn had worked under him as a German agent.

Mr. Higham's publisher has said it was satisfied with his research. "Mr. Higham used the Freedom of Information Act to build a shocking case against Flynn," said Ken McCormick, an editor at Doubleday.

Report of Former Employee

While many of the actor's friends have assailed the report as implausible, one former employee of Mr. Flynn, Jane Chesis of Los Angeles, said in an interview that she believed that the hypothesis was plausible because of an incident in 1953.

She said that while she was inadvertently looking through a file cabinet in Mr. Flynn's apartment that was normally used only by him she saw a file of letters postmarked in Argentina containing what she took to be the names of Germans. One of the names she noted, she said, was "Hermann Schwinn." A man with a similar name was a major World War II German agent in this country and after the war went to South America.

While she was reading the letter, she said, Mr. Flynn entered the room and grabbed her and the file of letters and then flung her to the floor, hurting her enough so that she had to spend the next day at home. When she returned to the apartment a day later, she said, the file was gone.